IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24488 of 2004

Between:

Midima Ch. Gurappadu, S/o. Guruvaiah,
R/o. Vardhanapally Village, Chintalapalli Post,
Komarole Mandal, Prakasam District.

..... PETITIONER

AND

The Chief of Army Staff, Army Head Quarters, DHQ PO, New Delhi-11.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondent herein to dispose of the appeal dt. 23.9.2004 filed against the order of dismissal, dt. 31.8.2004 by declaring the inaction as illegal, arbitrary and violative of rights guaranteed under Article 21 of the constitution of India.

Counsel for the Petitioner:MR.V.MALLIK

Counsel for the Respondent : MR.ARAJASHEKAR REDDY (SC FOR CENTRAL GOVERNMENT)

The Court at the stage of admission, made the following :

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24488 of 2004

ORDER:

This writ petition is filed by the petitioner to issue a writ of mandamus directing the respondent herein to dispose of the appeal dated 23.9.2004 filed against the order of dismissal dated 31.8.2004 declaring the same as illegal and arbitrary.

Heard learned counsel for the petitioner and also the learned Standing Counsel for the Central Government.

As seen from the averments in the affidavit, the petitioner filed an appeal dated 23.9.2004 against the order of dismissal passed by the respondent. Since the petitioner has already filed an appeal,

appropriate decision has to be taken by the respondent, in accordance with law.

Therefore, the writ petition is disposed of with a direction to the respondent to dispose of the appeal filed by the petitioner dated 23.9.2004 in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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29.12.2004

bsv

To

The Chief of Army Staff, Army Head Quarters, DHQ PO, New Delhi-11.

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